

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**FILED**

FEB 10 2005

LEONARD GREEN, Clerk

DAVID BILLUPS,

Plaintiff-Appellant,

v.

JAMES MCWEENEY, MD, et al.,

Defendants-Appellees.

ORDER1:01cv377  
SpiegelOFFICE OF THE CLERK  
U.S. COURT OF APPEALS  
FOR THE SIXTH CIRCUIT  
COLUMBUS, OHIO 43260-0001

Before: MERRIT, MOORE, and GILMAN, Circuit Judges.

The appellees have moved to dismiss this appeal as moot because of the death of the appellant, David Billups. Billups filed a prisoner civil rights action in June 2001. The district court dismissed the case in April 2004, and Billups appealed. The appellees submitted a police report indicating that Billups died on May 27, 2004. Accordingly, we grant the appellees' motion and dismiss the appeal.

ENTERED BY ORDER OF THE COURT

  
Clerk

A TRUE COPY

Attest:

LEONARD GREEN, Clerk

By

Deputy Clerk